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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,985	08/18/2003	Ritter Tsai	CFP-2093 (15722-565)	5666
23595	7590	03/10/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			HANSEN, JAMES ORVILLE	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

 <b>Office Action Summary</b>	<b>Application No.</b> 10/642,985	<b>Applicant(s)</b> TSAI, RITTER	
	<b>Examiner</b> James O. Hansen	<b>Art Unit</b> 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claim 4, the phrase "wherein the first reinforcement device includes" is unclear and incomplete as presently recited. In Claim 5, the phrase "fins each extending from one of the edges thereof in perpendicular" is unclear and confusing as presently worded. In Claim 6, the phrase "the first reinforcement" does not have a proper antecedent basis. Consequently, the remaining claims are rejected because they are dependent upon an indefinite claim.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8 & 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al., [U.S. Patent No. 4,836,626]. Taylor (figures 1-25) teaches of a combinative locker (fig. 10) including: a plurality of peripheral panels (13 for example) connected with one another, each of the peripheral panels including an internal side, a rear edge, a front edge, a first reinforcement device (48 for example) formed on the internal side at the rear edge and a second reinforcement device (58 for example)

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formed on the internal side at the front edge; a rear panel (12) including a plurality of edges each connected with the rear edge of one of the peripheral panels; and a front panel (18) including a plurality of edges one of which is pivotally connected with the front edge of one of the peripheral panels via member (73) for example, wherein the first reinforcement device includes a retroflexed strip (see fig. 4) extending from the rear edge of each of the peripheral panels, wherein the retroflexed strip substantially extends in parallel to each of the peripheral panels (see fig. 4), wherein the rear panel includes four fins (23, 24, 25, 26) each extending perpendicularly from one of the edges, wherein the first reinforcement device of each of the peripheral panels is in contact with one of the fins of the rear panel (see fig. 4), wherein the second reinforcement device includes a retroflexed strip (inwardly bent portion) extending from the front edge of each of the peripheral panels, wherein the retroflexed strip extends substantially parallel (viewed as extending forward of and parallel to each panel) to each of the peripheral panels.

5. Claims 1-8 & 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Insalaco et al., [U.S. Publication No. 2002/0043905]. Insalaco (figures 1-26) teaches of a combinative locker (fig. 1) including: a plurality of peripheral panels (42 for example) connected with one another, each of the peripheral panels including an internal side, a rear edge, a front edge, a first reinforcement device (46 for example) formed on the internal side at the rear edge and a second reinforcement device (48 for example) formed on the internal side at the front edge; a rear panel (50) including a plurality of edges each connected with the rear edge of one of the peripheral panels; and a front panel (80) including a plurality of edges one of which is pivotally connected with the front edge of one of the peripheral panels, wherein the first reinforcement

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device includes a retroflexed strip (see fig. 4) extending from the rear edge of each of the peripheral panels, wherein the retroflexed strip substantially extends in parallel to each of the peripheral panels (parallel to the main portion of the panel as depicted in fig. 4), wherein the rear panel includes four fins (62 for example) each extending perpendicularly from one of the edges, wherein the first reinforcement device of each of the peripheral panels is in contact with one of the fins of the rear panel (note fig. 2), wherein the second reinforcement device includes a retroflexed strip (see fig. 4) extending from the front edge of each of the peripheral panels, wherein the retroflexed strip extends substantially parallel (parallel to the main portion of the panel as depicted in fig. 4) to each of the peripheral panels.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Insalaco et al., in view of French publication 2,636,921 [known hereafter as FR'921]. Insalaco teaches applicant's inventive claimed structure as disclosed above including the second reinforcement device including a corrugated member (fig. 7) defining a space for receiving a connector (110), but does not show the connector as being "L-shaped". FR'921 (figures 1-5) is cited as an evidence reference to show that it was known in the art to utilize an "L-shaped" connector (elongated "L" member (4)) for connecting adjacent panels together. Accordingly, it would have been obvious to a person of

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ordinary skill in the art at the time the invention was made to modify the connector of Insalaco so as to incorporate an elongated "L" shaped connector as taught by FR'921 because this arrangement would enhance the disassembly process since the connector would be easily grasped and removed, thereby facilitating a timely disconnect between the panels.

***Allowable Subject Matter***

8. Pending further review and consideration, Claim 9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action **and to include all of the limitations of the base claim and any intervening claims.**

***Conclusion***

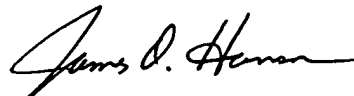
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sayer, Shear, and Moore et al., describe locker structures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 703-305-7414. The examiner can normally be reached on Mon.-Fri. 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James O. Hansen  
Primary Examiner  
Art Unit 3637

JOH  
March 4, 2005